



**MINUTES OF THE  
LAND RECLAMATION COMMISSION  
TELECONFERENCE MEETING**

February 2, 2004

Vice Chairman Jim DiPardo called the meeting to order at 8:30 a.m. at the Missouri Department of Natural Resources, 1738 East Elm Street, Jefferson City, Missouri.

**Commissioners Present:** Jim DiPardo; Mimi Garstang; Jim Hull; Dr. Gregory Haddock; and Bob Ziehmer.

**Staff Present:** Larry Coen and Shirley Grantham.

**Others Present:** Amy Randles, Attorney General's Office; Paul Boudreau; Nicholas Garzia; and Debra Hopkins.

1. IN THE MATTER OF: ALTERNATE FUELS, INC., CASE NO. 2500

Dr. Haddock made the motion that the Land Reclamation Commission meet in Closed Session beginning at 5:00 p.m. on Tuesday, February 17, 2004, for the purpose of discussing personnel actions and legal actions, causes of actions, or litigation as provided for in Section 610.021, RSMo, and an open session to be held immediately following the Closed Session. Mr. Hull seconded; motion carried unanimously.

2. OTHER BUSINESS

Mr. Boudreau stated the reason he wanted to participated in the meeting today was to bring to the Commission's attention, in reference to the Alternate Fuels Case No. 2500, that there was a partial settlement agreement between his client and certain clients of Mr. Garzia's that came up in the context of that case. He stated he had submitted a settlement agreement with the Program's Staff Director and a Motion for Approval of Settlement Agreement and an agreed to Order. Mr. Boudreau stated he has not seen anything that has issue with respect to that Settlement Agreement. He stated it is conditioned on certain action that is taken by the Commission in the context of the case. He was wondering if that was an item of discussion or whether it was going to be an item of discussion and to bring it to the attention of the Commission that it is an item of business that at some point needs to be attended to in the context of the Alternate Fuels case. He asked whether that item had been discussed during Closed Session by the Commission and if the Commission is aware of that item, and, if so, when might it be taken up for resolution?

Ms. Randles stated the Commission is aware that the settlement agreement is an item pending before it. Since the Commission did not take any votes today regarding Alternate Fuels, that means no action has been taken, since any vote would be done in the open session. The Commission cannot discuss what they discussed in Closed Session, but that the Alternate Fuels matter as a whole will likely be discussed during the open session on February 17.

3. ADJOURNMENT

Dr. Haddock made the motion the meeting be adjourned. Ms. Garstang seconded; motion carried unanimously.

The meeting ended at 8:40 a.m.

Respectfully submitted,

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Chairman